

## **EXHIBIT 9**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

-----) Civil Action No.:  
IN RE: FLINT WATER CASES ) 5:16-cv-10444-JEL-MKM  
 ) (consolidated)  
 )  
 ) Hon. Judith E. Levy  
-----) Mag. Mona K. Majzoub

HIGHLY CONFIDENTIAL  
VIDEOTAPED DEPOSITION OF MARC EDWARDS, PH.D.

MONDAY, AUGUST 10, 2020  
Volume 2

Continued remote oral deposition of MARC  
EDWARDS, PH.D., conducted at the location of the witness  
in Blacksburg, Virginia, commencing at approximately 9:04  
a.m., on the above date, before JULIANA F. ZAJICEK, a  
Registered Professional Reporter, Certified Shorthand  
Reporter, Certified Realtime Reporter and Notary  
Public.

1 it -- it is a legitimate LCR sampling protocol. This  
2 is not an LCR sampling, though, because we couldn't do  
3 the -- confirm the 50 percent homes without lead pipes  
4 and we are not a certified lab, et cetera.

5 Q. The detection limits for the analysis that  
6 were performed on the water that was collected in that  
7 August sampling event, do you know what the detection  
8 limits were?

9 A. For lead it was probably .1 ppb or less.

10 Q. Okay. What type of sampling -- or -- or I  
11 should say laboratory analysis was performed to have a  
12 detection level that low?

13 A. It's called an inductively coupled plasma  
14 mass spectrometer, ICP-MS.

15 Q. Okay. I'm not going to try to say that  
16 five times fast.

17 A. I couldn't say it again either, so. Let's  
18 just say ICP-MS from henceforth.

19 Q. Okay. Is that considered a -- a  
20 state-of-the-art laboratory analysis for purposes of  
21 analyzing lead content in water?

22 A. Yes, and we are -- I have a research  
23 scientist who I fund who runs the instrument. He is  
24 published on lead analytical procedures in

1 peer-reviewed journals.

2 Q. Okay. That was analysis performed of the  
3 water samples at Virginia Tech?

4 A. Yes.

5 Q. Okay. By the way, the discretionary  
6 source of funds, I think you went into this a little  
7 bit on the first day, but can you just provide a brief  
8 description as to what discretionary funds, what --  
9 what that term means and what the source of -- of  
10 those funds is?

11 A. Well, this is a state institution, so in  
12 theory you have to pay for everything, not just theory  
13 but in practice, there is no pot of money to save the  
14 world. You can't take money from one project to pay  
15 for an analysis in Flint.

16 So, I mean, I knew a day like this was  
17 going to come, so I've been donating money to this  
18 account or saving money up for it so that when the  
19 time come I could pay for this sort of activity and  
20 not be accused of unethical behavior or misconduct,  
21 that I could account for every penny and the -- you  
22 know, and that's very hard to do, by the way,  
23 because -- but we were prepared to do it because we  
24 knew we would be attacked for every little thing, and

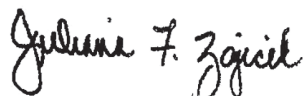
REPORTER'S CERTIFICATE

I, JULIANA F. ZAJICEK, a Registered Professional Reporter, Certified Realtime Reporter, Certified Shorthand Reporter and Notary Public, do hereby certify that prior to the commencement of the examination of the witness herein, the witness was duly remotely sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by me at the time, place and on the date hereinbefore set forth, to the best of my availability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand on this 21st day of August, 2020.



JULIANA F. ZAJICEK, RPR, CSR, CRR

1 DEPOSITION ERRATA SHEET

2

3

4 Case Caption: Flint Water Cases

5

6 DECLARATION UNDER PENALTY OF PERJURY

7

8 I declare under penalty of perjury that I  
9 have read the entire transcript of my Deposition taken  
10 in the captioned matter or the same has been read to  
11 me, and the same is true and accurate, save and except  
12 for changes and/or corrections, if any, as indicated  
13 by me on the DEPOSITION ERRATA SHEET hereof, with the  
14 understanding that I offer these changes as if still  
15 under oath.

16

17 MARC EDWARDS, PH.D.

18

19

20 SUBSCRIBED AND SWORN TO

21 before me this day

22 of , A.D. 20\_\_.

23

24 Notary Public